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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,323	06/07/2002	Vjatcheslav Tretiakov	0796/66435	6256
7590	10/28/2004		EXAMINER	
Donald S Dowden Cooper & Dunham 1185 Avenue of the Americas New York, NY 10036			HO, ALLEN C	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Allowability**

Application No.

10/019,323

Examiner

Allen C. Ho

Applicant(s)

TRETIAKOV ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 18 October 2004.
2. ☒ The allowed claim(s) is/are 3-9 and 17-20.
3. ☒ The drawings filed on 18 October 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____  |

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald S. Dowden (Reg. No. 20,701) on 26 October 2004.

The application has been amended as follows:

Claim 7, line 13, --the X-ray apparatus further -- has been inserted before "comprising".

### ***Allowable Subject Matter***

2. Claims 3-9 and 17-20 are allowed.

3. The following is an examiner's statement of reasons for allowance:

With respect to claim 3, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus comprising a rotational means for tilting the x-ray detector in order to maintain a constant aspect ratio of the x-ray detector as viewed from the x-ray source, the rotational means is a rotatable plate that is mounted on the carriage and receives the x-ray detector, and the rotatable plate is laterally extended for receiving an elongated single-line digital x-ray detector as claimed.

With respect to claim 4, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus comprising a rotational means for tilting the x-ray detector in order to maintain a constant aspect ratio of the x-ray detector as viewed from the x-ray source, and a housing for receiving the translational and rotational means, the housing can be kept stationary during the scanning movement as claimed.

With respect to claim 5, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus comprising means for swiveling the x-ray source and the collimator in coordination with the scanning movement and the orienting movement of the x-ray detector, and a balanced suspension of the x-ray source and the collimator for a torque-free swiveling movement as claimed.

With respect to claim 6, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus, wherein an orienting movement and a scanning movement are independent degrees of freedom of the x-ray detector, comprising a motor drive unit and a mechanical coupling means for synchronously driving the scanning movement and the orienting movement of the x-ray detector and a translational or swiveling movement of the x-ray source as claimed.

With respect to claims 7-9, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus comprising a mounting means for mounting the x-ray detector, photographic x-ray imaging means comprising a cassette holder for photographic films, the mounting means comprising a housing that receives the x-ray detector and the cassette holder in such a way that the x-ray detector and the photographic film are facing toward different side faces of the housing, the mounting means performs a reorienting movement of the housing such that either the cassette holder or the x-ray detector is positioned for x-ray imaging as claimed.

With respect to claim 17, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus that comprises the distance between the x-ray source and the x-ray detector, the distance between the x-ray collimator slit and the x-ray detector, and the distance between the patient and the x-ray detector as claimed.

With respect to claims 18-20, the prior art fails to teach or fairly suggest a digital x-ray scanning apparatus, wherein an orienting movement and a scanning movement are independent degrees of freedom of the x-ray detector, comprising a support arm that carries the x-ray source, the x-ray collimator, and a housing for the detector, the support arm is rotatable, and the x-ray source together with the x-ray collimator and the housing for the detector are tiltable with respect to the support arm as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen C. Ho whose telephone number is (571) 272-2491. The examiner can normally be reached on Monday - Friday from 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached at (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Allen C. Ho  
Patent Examiner  
Art Unit 2882

26 October 2004